

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

Daniel Glen Printz, #76211,	)	C/A No. 4:22-2205-HMH-TER
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
Spartanburg County Detention Center,	)	
Spartanburg County,	)	
Chuck Wright, Deputy Young, Deputy West,	)	
Defendants.	)	
	)	

This is an action filed by a federal prisoner, who was a pretrial detainee at the time of the allegations, proceeding *pro se* and *in forma pauperis*. This case is before the undersigned due to Plaintiff's failure to comply with the magistrate judge's order dated September 13, 2022, for Plaintiff to file an Amended Complaint. (ECF No. 14).

The order was returned as undeliverable. (ECF No. 16). The order was mailed to the address provided by Plaintiff in Ocilla, Georgia, addressed with the name and prisoner I.D. number provided by Plaintiff. (ECF Nos. 1, 1-1, 14, 16). Plaintiff has neglected to update his address with the court.

"The court has "inherent power to manage its docket in the interests of justice." *Lubarda v. Purdue Frederick Corp.*, No. 4:13-cv-00897, 2013 WL 12157548, at \*1 (D.S.C. May 31, 2013). It also has the authority expressly recognized in Rule 41(b) to dismiss actions for failure to prosecute. Fed. R. Civ. P. 41(b). "The authority of a court to dismiss *sua sponte* for lack of prosecution has generally been considered an 'inherent power,' governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases." *Link v. Wabash R. Co.*, 370 U.S. 626, 630–31 (1962).

Plaintiff's lack of response indicates an intent to not prosecute this case, and subjects this case to dismissal. *See* Fed. R. Civ. P. 41(b)(district courts may dismiss an action if a Plaintiff fails

to comply with an order of the court); *see also Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989)(dismissal with prejudice appropriate where warning given); *Chandler Leasing Corp. v. Lopez*, 669 F.2d 919, 920 (4th Cir. 1982)(court may dismiss *sua sponte*).

Accordingly, this case is dismissed without prejudice. The Clerk of Court shall close the file.

**IT IS SO ORDERED.**

s/ Henry M. Herlong, Jr.  
Senior United States District Judge

Greenville, South Carolina  
October 18, 2022

**NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.